

1 DAWN SESTITO (S.B. #214011)
dsestito@omm.com
2 MATTHEW R. COWAN (S.B. #281114)
mcowan@omm.com
3 O'MELVENY & MYERS LLP
400 South Hope Street, 19th Floor
4 Los Angeles, California 90071-2899
Telephone: (213) 430-6000
5 Facsimile: (213) 430-6407

6 DAVID J. LENDER (*pro hac vice*)
david.lender@weil.com
7 WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
8 New York, New York 10153-0119
Telephone: (212) 310-8153
9 Facsimile: (212) 310-8007

10 *Counsel for Defendant Exxon Mobil Corporation*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13

14 SIERRA CLUB, INC.; SURFRIDER
FOUNDATION, INC.; HEAL THE BAY,
15 INC.; and BAYKEEPER, INC.; each a
California Nonprofit,

16 Plaintiffs,

17 v.

18 EXXONMOBIL CORPORATION, a New
19 Jersey Corporation, and DOES 1-10,

20 Defendants.
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Case No. 3:24-cv-07288-RS

**STIPULATION AND [PROPOSED]
ORDER ON BRIEFING SCHEDULE
REGARDING MOTION(S) TO
DISMISS OR OTHER RESPONSES
TO PLAINTIFFS' COMPLAINT**

1 The following stipulation is entered between Plaintiffs Sierra Club, Inc.; Surfrider
2 Foundation, Inc.; Heal the Bay, Inc.; and Baykeeper, Inc. (Plaintiffs”) and Defendant Exxon
3 Mobil Corporation (“ExxonMobil”), by and through their respective counsel, with reference to
4 the following facts:

5 **RECITALS**

6 WHEREAS, on September 23, 2024, Plaintiffs filed this action in San Francisco County
7 Superior Court;

8 WHEREAS, on October 18, 2024, ExxonMobil filed a notice of removal pursuant to 28
9 U.S.C. § 1446;

10 WHEREAS, on November 22, 2024, the parties filed a stipulation regarding a briefing
11 schedule on Plaintiffs’ Motion to Remand;

12 WHEREAS, in the November 22, 2024 stipulation, the parties agreed to “meet and confer
13 and submit to the Court a briefing schedule on Motions to Dismiss or other responses to the
14 Complaint within fourteen (14) days following entry of an Order denying the Motion to
15 Remand”;

16 WHEREAS, on November 25, 2024, the Court granted the parties’ November 22, 2024
17 stipulation;

18 WHEREAS, on February 24, 2025, the Court denied Plaintiffs’ Motion to Remand;

19 WHEREAS, the parties have met and conferred and have agreed on a reasonable briefing
20 schedule regarding ExxonMobil’s Motion(s) to Dismiss or other responses to the Complaint
21 (including any anti-SLAPP motion);

22 WHEREAS, this stipulation is not intended to operate as an admission of any factual
23 allegation or legal conclusion and is submitted subject to and without waiver of any right,
24 defense, affirmative defense, or objection, including subject matter or personal jurisdiction;

25 WHEREAS, the parties agree that this stipulation does not waive any right to agree to or
26 request further extensions, or to seek any other relief from the Court.

STIPULATION

NOW, THEREFORE, the parties hereby agree and stipulate as follows:

1. ExxonMobil shall file any Motions to Dismiss or other responses to the Complaint on or before March 27, 2025.
2. Plaintiffs shall file any Opposition to those Motions on or before May 1, 2025.
3. ExxonMobil shall file any Reply in support of those Motions on or before May 22, 2025.
5. The parties agree that nothing in this stipulation constitutes a waiver of any right, defense, affirmative defense, or objection, including subject matter or personal jurisdiction.

Dated: March 10, 2025

Respectfully submitted,

/s/ Dawn Sestito
DAWN SESTITO (S.B. #214011)
MATTHEW R. COWAN (S.B. #281114)
O'MELVENY & MYERS LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071-2899
Telephone: (213) 430-6000
Facsimile: (213) 430-6407
dsestito@omm.com
mcowan@omm.com

DAVID J. LENDER (*pro hac vice*)
david.lender@weil.com
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153-0119
Telephone: (212) 310-8153
Facsimile: (212) 310-8007

Counsel for Defendant

1 Dated: March 10, 2025

Respectfully submitted,

3 /s/ Grace Y. Park

4 NIAL P. MCCARTHY (S.B. #160175)
5 TYSON C. REDENBARGER (S.B. #294424)
6 GRACE Y. PARK (S.B. #239928)
7 COTCHETT, PITRE & MCCARTHY, LLP
8 840 Malcolm Road, Suite 200
9 Burlingame, CA 94010
10 Telephone: (650) 697-6000
11 Facsimile: (650) 697-0577
12 nmccarthy@cpmlegal.com
13 tredenbarger@cpmlegal.com
14 gpark@cpmlegal.com

15 *Counsel for Plaintiffs*

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** Pursuant to Civ. L.R. 5-1(i)(3), the
electronic signatory has obtained approval
from this signatory.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Hon. Richard Seeborg
United States District Judge